

REMARKS

Claims 1-3 have been canceled and replaced with new claims 4-8 so as more completely to define the subject matter which Applicants regard as their invention.

In response to the official action of 14 May 2010, wherein the Examiner has requested an election as between inventions, Applicants elect to prosecute in the present application the claims of Group I, drawn to a method for estimation of the bio-psycho-physical on a person. Claims 4-6 encompass the elected invention.

The requirement for election is respectfully traversed insofar as the Examiner has improperly applied US restriction practice rather than PCT unity of invention practice to this '371 application. As discussed in MPEP 1893.03(d), unity of invention (not restriction practice pursuant to 37 CFR 1.141 - 1.146) is applicable in international applications (both Chapter I and II) and in national stage applications submitted under 35 U.S.C. 371.

As also discussed in MPEP 1893.03(d), a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn, for example, to the following combination of categories: in addition to an independent claim for a given process, an independent claim for an apparatus or means specifically designed for carrying out the said process. In other words, the claims as rewritten are in unity under PCT unity of invention rules and the requirement for restriction should respectfully be withdrawn.

In view of the above, Applicants respectfully submit that they have satisfied all requirements in the aforementioned restriction action and respectfully request an early examination on the merits of at least the elected claims.

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Respectfully submitted,

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